UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/539,026	03/30/2000	Michael R. Van Buskirk	204306	7676

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EXAMINER
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ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Advisory Action	09/539,026	VAN BUSKIRK ET AL.
	Examiner	**Art Unit**	
	Hussein A El-chanti	2157	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet.*

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☒ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1-54*.

   Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____.

Continuation of 5. does NOT place the application in condition for allowance because: In the remarks, the applicant argues in substance that; A) Ludwig does not teach a multipoint processing module B) Ludwig does not teach mixing and briginging of media streams to allow a user to modify an attribute to change the default operation of the component C) Ludwig does not teach does not teach hardware driver or hardware accelerator D) Ludwig does not teach periodical interrupt routine E) Ludwig does not teach evaluating whether a speaker is continuing to talk F) Ludwig does not teach specifying an upper limit to a video output pin G) Ludwig does not teach silence period in the input stream H) Ludwig does not teach the size of the data frames of the compressed and decompressed files are of different sizes I) Ludwig and Roy do not teach automatic gain control J) Ludwig and Salesky do not teach fast update request of groups of blocks K) Ludwig and Salesky do not teach packet rate loss L) Ludwig and Falco do not teach setting values for RTP packet size

In response to A) Ludwig teaches a software for conferencing where the software receives a plurality of multimedia calls and the user is able to accept multiple calls at a time. The clinet computer receives a plurality of incoming video and audio streams "real time streams". The client has the ability to accept more than one call at a time. If the client takes more than one video stream, the software adjusts the client display to by reducing the size of each incoming video stream proportional to the number of simultaneous incoming video streams to be able to display more than one vidoe stream at the same time (see col. 5 lines 20-27 and col. 4 lines 57-67 and fig. 8A-B)) and therefore Ludwig meets the scope of the claimed limitation "multipoint processing module". Ludwig can modify the size of the display of the displayed video stream according to the number of simultaneous incoming video streams (see fig. A-B). There is no limitaition on how the attribute is being modified and therefore Ludwig meets the scop-e of the claimed limitaiton alter the operation of at least one of the audio processor and video processor module".

In response to B) Applicant is arguing that Ludwig does not teach mixing and brifging of media streams. These limitations were not filed in the original claims and therefore would require further consideration by the examiner. Claimed subject matter net the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims..

In response to C) Ludwig teaches the hardware of the system receives multimedia signals where the hardware performs digital to analog conversion, decompression of received streams and routing of the received streams (see col. 10 lines 48-67), the hardware inherently has a driver or software installed thereon to perform the above mentioned function.

In response to D) Ludwig teaches a method where the user can schedule an interrupt to receive a note to switch the conference form intercom to telephone
(see col. 37 lines 2-65 and col. 40 lines 49-56). There is no limitation on the kind of interrupt service routine and therefore Ludwig meets the scope of the claimed limitation "a property to do one of setting a periodicity of an interrupt service routine and getting a periodicity of an interrupt service routine".

In response to E) Ludwig teaches a mute option where the user could mute video and audio input until the resume call button is pressed (see col. 32 lines 41-64 and col. 16 lines 32-38). Also Roy teaches a silence detection to detect whether a speaker is still speaking (see col. 7 lines 21-37).

In response to F) Ludwig teaches WAN switching multiplexer 44 typically creates subchannels whose bandwidth is a multiple of 64 Kbps (i.e., 256 Kbps, 384, 768, etc.) among the T1, T3 or ISDN carriers Inverse multiplexers may be required when using 56 Kbps dedicated or switched services from these carriers where the upper limit of bandwidth is the maximum bandwidth of the subchannel (see col. 10 lines 37-47) and therefore Ludwig meets the scope of the claimed limitation "specify an upper limit in bandwidth transmission".
In response to G) Ludwig teaches muting the input stream until the user resumes the video or audio call (see col. 29 lines 31-col. 30 lines 20) and therefore Ludwig meets the scope of the claimed limitation.
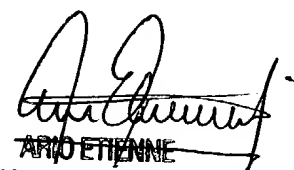In response H) Ludwig teaches compressing data streams and it is well known in the art that compressed data steams are of smaller size than the uncompressed data streams.
In response I) Ludwig uses Add-on box 800 interface with standard amplifier and equalization circuitry, as well as an adaptive room echo canceler 814 to eliminate echo, minimize feedback and provide enhanced audio performance when using a separate microphone and speaker. In particular, use of adaptive room echo cancelers provides high-quality audio interactions in wide area conferences (see col. 17 lines 10-27).
In response to J) Salesky teaches a method of updating blocks every interval of time by sending the blocks that has been changed (see col. 12 lines 17-67) and therefore Salesky meets the scope of the claimed limitation "a command to perform a fast update of macroblock".
In response to K) Salesky teaches a method of discarding blocks and displaying a video stream with a loss rate. There is no limitation on the kind of loss of packets, whether the packet loss is due to packets being discarded or other reasons and therefore Salesky meets the scope of the claimed limitation "retrieve values of the channel packet loss rate".
In response to L) Ludwig teaches transferring the stream as a compressed stream and then the receiver would uncompress the stream locally (change the size of the packets) and then the stream is processed at the receiver's processor (see col. 32-col. 33)..

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